

Attorney Docket No. 4343.214-US
Patent Application entitled: "Protracted GLP-1 Compositions"
Applicants: Jensen et al.
USSN: 09/767,981

The USPTO hereby acknowledges receipt of the following:

1. Certificate of Mailing
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jensen et al.

Serial No.: 09/767,981

Group Art Unit: 1647

Filed: January 23, 2001

Examiner: David S. Romeo

Confirmation No. 2751

For: Protracted GLP-1 Compositions

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents
Washington, DC 20231

Sir:

I hereby certify that the attached correspondence comprising:

1. Response to Restriction Requirement

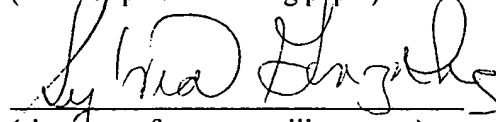
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Sir:

This paper is being filed in response to the Office Action mailed March 15, 2002 in which the Examiner made restriction and election of species requirements. In particular, Applicants were requested to elect the claims of group I (claims 1-11) or group II (claims 12 and 13) for continued prosecution and also, to elect a single species of pharmaceutically acceptable preservative from claim 6 and a single species of divalent cation from claim 9.

In response to these requirements, Applicants hereby elect, with traverse, the invention of group I (claims 1-11), and the species phenol of claim 6 and the species zinc of claim 9. Claims 1-11 read on the elected species. Applicants hereby reserve the right to file continuing applications directed to the nonelected subject matter.

The basis for traverse is that in parent application 08/860,103, the Patent office issued an October 23, 1997 Office Action addressing the patentability of claims 1-13 as a single group as well as all of the species of preservatives in claim 6 and the divalent ions in claim 9.

The present application is a continuation of 08/860,103 and the claims examined in the Office Action are the same as pending claims 1-13. Therefore, since the Patent Office conducted a search of the prior art for claims 1-13 in the aforementioned October 23, 1997 Office Action, Applicants submit that there would not be a serious burden on the Examiner in

the present application if the restriction and election of species requirements were not required in the present application.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the restriction and election of species requirements.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

Date: April 15, 2002

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